

Serial No. 09/971,099**PATENT
Client/Matter No.: M1015.70066TJO****REMARKS**

Claims 13-18, 20-29, 35-36, and 39-43 are pending in the application. The amendments to claims 20, 29, and 35 are made for minor grammatical changes. Support for the newly added claim 42 can be found in claim 19, which has been set forth in an independent claim format. Newly added claim 43 finds support in claim 34, which has been set forth in independent claim format. No new matter has been inserted into the application.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 13-21, 32-36 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants traverse this rejection. Reconsideration and withdrawal thereof are respectfully requested.

The Examiner has indicated that the phrase "the first article being immobilized relative to a signaling entity that is immobilized relative to a binding partner" is indefinite. Applicants fail to see how this phrase is indefinite and would like further clarification as to the reason for the rejection. The sequence of binding is clear. The first article is immobilized relative to a signaling entity by linking through a binding partner to the signaling entity. The recited phrase appears to be definite in describing such a molecular arrangement. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

Examiner has also rejected claim 32 for being indefinite. However, claim 32 has been canceled. Therefore, this rejection has been overcome.

Serial No. 09/971,099**PATENT
Client/Matter No.: M1015.70066TJO****Rejection Under 35 U.S.C. §103(a) over Gombinsky et al. (US 6,409,925) in view of Oprandy et al. (US 6,096,500)**

Claims 4, 5, 8-11, 30-33, 37, and 38 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gombinsky et al. in view of Oprandy et al. Applicants traverse this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Applicants note that the rejected claims have been canceled. Therefore, this rejection has been overcome.

Rejection Under 35 U.S.C. §103(a) over Gombinsky et al. (US 6,409,925) in view of Oprandy et al. (US 6,096,500) and further in view of Ullman et al. (US 6,103,537)

Claim 2 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Gombinsky et al. in view of Oprandy et al. as applied to claims 4, 5, 8-11, 30-33, 37, and 38 and further in view of Ullman et al. Applicants traverse this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Applicants note that claim 2 has been canceled. Therefore, this rejection has been overcome.

Allowable Claims

Applicants note the Examiner's indication that claims 22-29 are in allowable condition. Applicants submit that claims 13-21, 35-36, and 39-43 are also in allowable condition. Examiner's indication to this effect is respectfully requested.


Serial No. 09/971,099**PATENT**
Client/Matter No.: M1015.70066TJO**Conclusion**

It is believed that the application is now in condition for allowance. Applicant requests the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law's Deposit Account No. 502486 for any fees required under 37 CFR §§1.16 and 1.17 that are not covered, in whole or in part, by a credit card payment enclosed herewith and to credit any overpayment to said Deposit Account No. 502486.

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Respectfully submitted,

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